Receipt date: 10/16/2008

10524193 - GAU: 1633

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

7	Substitute for form 1449/PTO INFORMATION DISCLOSURE			Complete if Known		
				Application Number	10/524,193	
STATEMENT BY APPLICANT			LICANT	Filing Date	02/11/2005	~~~~
	Date Submitted: October 16, 2008			First Named Inventor	Nobutaka NAKASHIMA	
				Art Unit	1633	
(use as many sheets as necessary)			necessary)	Examiner Name	ILEANA POPA	
Sheet	1	of	1	Attorney Docket Number	081356-0232	

U.S. PATENT DOCUMENTS						
Examine r Initials*	Cite No. ¹	Document Number	- Publication Date MM-DD-YYYY	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant	
		Number-Kind Code ² (if known)		Cited Document	Passages or Relevant Figures Appear	
	C1	5,164,305	11/17/1992	WONG, Hing C.		
	C2	2006/0121564 A1	6/8/2006	NAKASHIMA et al.		

Cite No. ¹	Foreign Patent Document Country Code ³⁻ Number ⁴⁻ Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
С3	WO 2004/016792 A1	2/26/2004	National Institute of Advanced Industrial Science & Technology		Abs
٨	lo.¹	Country Code ³⁻ Number ⁴⁻ Kind Code ⁵ (<i>if known</i>)	Io. 1 Country Code ³⁻ Number ⁴⁻ Kind MM-DD-YYYY Code ⁵ (if known)	Country Code ⁵ (If known) Code ⁵ (If known) Code ⁵ (If known) Code ⁵ (If known) National Institute of Advanced	The protein Patent Document Country Code Number Kind Code (If known) Publication Date MM-DD-YYYY Applicant of Cited Documents Name of Patentee or Applicant of Cited Documents Passages or Relevant Figures Appear Where Relevant Passages or Relevant Figures Appear

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C4	GenBank accession number AB127601	
	C5	JAURIN, et al., "Sequence elements determining ampC promoter strength in E. coli," EMBO, 1982, pp. 875-881, vol. 1, no. 7.	
	C6	HOLMES, D.J., et al., "Autogenous transcriptional activation of a thiostrepton-induced gene in Strep tomyces lividans," EMBO J., 1993, pp. 3183-3191, vol. 12, no. 8.	
	С7	FENTON, M.S., et al., "Function of the bacterium TATAAT-10 element as single-stranded DNA during RNA polymerase isomerization," Proc. Natl. Acad. Sci. USA, 2001, pp. 9020-9025, vol. 98, no. 16.	
	C8	DESOMER, J., et al., "The plasmid-encoded chloram phenicol-resistance protein of Rhodococcus fascians is homologous to the transmembrane tetracycline efflux proteins," Molecular Microbiology, 1992, pp. 2377-2385, vol. 6, no. 16.	

Examiner Signature	/Ileana Popa/	Date Considered	01/19/2009

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:**Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.